

HT03-005



Application no. 10/781,000

IPW

June 26, 2006

TO: Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Art Unit 2627 - Examiner Klimowicz, William Joseph

FROM: Stephen B. Ackerman, Reg. No. 37,761
28 Davis Avenue
Poughkeepsie, N.Y. 12603

SUBJECT: Serial #: 10/781,000
File Date: 02/18/2004
Inventor: Moris Dovek
Examiner: Klimowicz, William Joseph
Art Unit: 2627
Title: Cross Talk and EME Minimizing Suspension Design

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Election of Species Requirement in the Office Action dated May 25, 2006. In that office action, applicant was required under 35 U.S.C. 121

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 26, 2006.

Signature: 
Stephen B. Ackerman, Reg. No. 37,761

Date: June 26, 2006

to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

The species stated are:

Specie I, Figures 2,3, which reads on Claims 7-12 and 25-30, and

Specie II, Figure 4, which reads on Claims 1-6 and 19-24.

Applicant believes that Claims 13-18 and 31-36 are generic.

Applicant provisionally elects to be examined the species described by the Examiner as Specie II, Figure 4 , which reads on Claims 1-6 and 19-24. This election is made with traverse of the requirement under 37 C.F.R. 1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Election of Species given in the Office Action, because of the increased costs applicant would be forced to bear if the two species are separately examined. Furthermore, the field of search must necessarily cover both species, in addition to other related Classes and subclasses, to provide a complete and adequate search.

Withdrawal of the Election of Species Requirement, and allowance of the present Patent Application, is therefore respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'SBA', with a long horizontal line extending to the right.

Stephen B. Ackerman, Reg. No, 37,761
(845) 452-5863